

# Civil Enforcement Case Report

## Civil Enforcement Case

### Basic Information

**Case Number:** 01-2014-4001  
**Case Name:** E I DU PONT DE NEMOURS AND COMPANY  
**Case Category:** Administrative - Formal  
**Case Status (as of 09/29/2014):** Final Order Issued  
**Case Lead:** EPA  
**Court Docket Number:** --  
**DOJ Docket Number:** --

**Relief Sought:** Penalty  
**Enforcement Outcome:** Final Order With Penalty  
**Headquarters Division:** --  
**Branch:** --  
**Result of Voluntary Disclosure?** No  
**Multi-media Case?** --  
**Enforcement Type:** FIFRA 14A Action For Penalty  
**Violations:** Labeling/Marking Requirements

### Penalties – Case Level

**Total Federal Penalty Assessed or Agreed To:** \$22,200  
**Total State/Local Penalty Assessed:** \$0  
**Total SEP Cost:** \$0  
**Total Compliance Action Cost:** \$0  
**Total Cost Recovery:** \$0

### Case Summary

On September 29, 2014, Region 1 filed a CAFO resolving a case against E.I. du Pont de Nemours and Company of Wilmington, Delaware, brought under FIFRA. The CAFO is the result of pre-filing settlement negotiations regarding civil penalty claims against DuPont for several violations of Section 12(a)(1)(E) of FIFRA relating to misbranded pesticides. The violations alleged in the CAFO arise out of the actions of a DuPont supplemental distributor –Harrells, LLC of Lakeland, Florida which, itself, was the subject of a much larger FIFRA settlement in December 2013– by operation of the FIFRA regulations at 40 C.F.R. § 152.132. This settlement requires DuPont to pay a \$22,200 penalty and to certify that it is in current compliance with FIFRA and provided true and accurate information to EPA during the course of its investigation. FIFRA prohibits the distribution or sale of misbranded pesticides so that end users and members of the public have accurate, up-to-date, and compliant information about any pesticide in the marketplace.

### Laws and Sections

Law	Sections	Programs
FIFRA	12A1E	Adulterated/Misbranded

### Citations

Title	Part	Section
40 CFR	152.132	--

### Facilities

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
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FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110046310327	HARRELLS LLC	34 EXECUTIVE DRIVE	DANBURY	CT	06810	--	--

Defendants

Defendants and Settlements	In Complaint	In Settlement
E I DU PONT DE NEMOURS AND COMPANY	Y	Y

Related Case Documents

Document	Facility Name	Publish Date	EPA Program
No data records returned			

Case Milestones

Event	Actual Date
Final Order Issued	09/29/2014
Complaint Filed/Proposed Order	09/29/2014
Enforcement Action Data Entered	10/07/2014

Pollutants

Pollutant Name	Chemical Abstract Number
Pesticides, general	--

Related Activities

Description	Actual Date
Administrative - Formal	--

Final Order 1

**Final Order Type:** Administrative Penalty Order With or Without Injunctive Relief  
**Final Order Name:** E I DU PONT DE NEMOURS AND COMPANY  
**Linked Facilities (FRS ID):** 110046310327  
**Final Order Lodged Date:** --  
**Final Order Entered Date:** 09/29/2014  
**Enforcement Action Closed Date:** --  
**Actual Termination Date:** --

Penalties/SEPs/Cost Recovery Amounts

**Federal Penalty Assessed or Agreed To:** \$22,200  
**State/Local Penalty Assessed:** --  
**SEP Value:** --  
**Compliance Action Cost:** \$0  
**Federal Cost Recovery Awarded:** \$0

Complying Actions

Complying Action ID	Category	Description
3400017403	Reduction of Ongoing Releases	Cease Pesticide Sale, Distribution

Supplemental Environmental Projects

SEP ID	Category	SEP Value	Description
No data records returned			

**Pollutant Reductions**

Resulting From	Pollutant	Annual Amount	Units	Media Affected
CA ID 3400017403	Pesticides, general	3,000	lbs	Land